

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Captioned in Compliance with D.N.J. LBR 9004-1(b)

LAW OFFICES OF SKLAR SMITH-SKLAR
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CANDYCE I. SMITH-SKLAR, ESQ.
Attorney for Debtor

In Re:

Donald Johnson,

Debtor



Order Filed on April 24, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 23-11998 MBK

Hearing Date: 4/24/2024; 9:00am

Chief Judge: Michael B. Kaplan

Chapter 13

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: X Followed Modified

The relief set forth on the following pages numbered two (2) through three (3) is
ORDERED.

DATED: April 24, 2024

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 17 Cornwall Avenue, Trenton, NJ 08618. (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name: of professional: Candyce Smith-Sklar, Esq.	Kimberly Storcella, RE
Amount to be paid: \$1,100.00	5.5% Commission due Listing Agent/Buyer's Agent
Services rendered: Review contract, prepare Addendum to Contract of Sale Obtain payoffs, research Liens to determine if satisfied and all document preparation for closing	List Property, Secure Buyer Prepare documents, Close Title, title search

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 27,900.00 claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the *balance due on the debtor's Chapter 13 Plan* shall be paid to the Chapter 13 Standing Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Standing Trustee Seven (7) days after closing.
8. ☒ The debtor shall file a modified Chapter 13 Plan within 21 days of the date of this Order.
9. Other provisions:
 - a. Within 14 days of the date of the Order, Debtor shall file an amended schedule C with the Court;
 - b. The debtor's counsel be allowed a legal fee of \$800.00 for representation in connection with this motion and upon filing of a fee application:
 at closing X through the Plan outside the plan;
 - c. The debtor's real estate attorney, Candyce Smith-Sklar, will receive a fee of \$1,100 for representation of Debtor at closing; and
 - d. The mortgage held by Lakeview Loan Servicing, LLC shall be fully satisfied with the proceeds of the sale and the lien shall remain on the Property only until such time as a full payoff is received.

In re:
Donald N Johnson
Debtor

Case No. 23-11998-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Apr 24, 2024

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 26, 2024:

Recip ID	Recipient Name and Address
db	+ Donald N Johnson, 17 Cornwall Avenue, Trenton, NJ 08618-3317

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 26, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 24, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Candyece Ilene Smith-Sklar	on behalf of Debtor Donald N Johnson njpalaw@gmail.com r56958@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4